

# HARRIS COUNTY COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

(Now called the HARRIS COUNTY COMMUNITY SERVICES DEPARTMENT Office of Transit Services)

# Disadvantaged Business Enterprise Goal Update FY2024-2026

Due Date: August 1, 2023
Submission Date: August 1, 2023

Harris County Community Services Department
Office of Transit Services
8410 Lantern Point Drive
Houston, Texas 77054 | 713-578-2000

#### Goal Setting Methodology (Submitted for 3-Year Goal FY2024-2026)

The process by which Harris County Community Services Department (Harris County CSD) established its Disadvantaged Business Enterprise (DBE) goal for FY 2024 - 2026 is summarized below. In accordance with 49 CFR Part 26 Section 26.45 Harris County CSD followed a two-step process based on evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate in its DOT-assisted contracts. The goal reflects Harris County CSD's determination of the level of participation expected absent the effects of discrimination.

#### **MARKET AREA**

The market area for the DBE analysis is Harris County, Texas. Harris County CSD is a participant in the Texas Unified Certification Program (TUCP) administered by the Texas Department of Transportation. Harris County CSD relies upon the information contained in the TUCP to determine the availability of ready, willing, and able DBEs. The City of Houston, Office of Business Opportunity, is the local certifying entity for the Texas Unified Certification Program (TUCP). The City of Houston maintains its own database of active MWDBE, MDBE, PDBE and DBE contractors. Harris County CSD uses both directories and its own list of bidders as it bidders list for procurement purposes.

#### **Determination of Market Area:**

Harris County was used as the market area because:

- All projects are located in Harris County
- A substantial majority of potential bidders (contractors and subcontractors) come from this area;
- A substantial majority of the contracting dollars will be spent in this area; and
- Harris County is a readily identifiable area listed in the U. S. Census Bureau County Business Patterns Database.

#### **METHODOLOGY**

#### STEP 1 - Base Figure

In order to determine an overall goal, the following data sources were utilized to determine a base figure for the relative availability of DBEs:

- 2020 Harris County Business Patterns at <a href="https://www.census.gov/programs-surveys/cbp/data.html">https://www.census.gov/programs-surveys/cbp/data.html</a>
- City of Houston, Office of Business Opportunity, MWSBE/PWDBE and DBE Directory at https://houston.mwdbe.com/FrontEnd/searchcertifieddirectory.asp
- The Texas Unified Certification Program (TUCP) DBE database for available DBE certified businesses within Harris County at https://www.txdot.gov/business/partnerships/tucp.html

After identifying the anticipated types of service contracts that will be awarded in FY2024 – FY2026, the 2020 County Business Pattern (CBP) Data was used so all firms in Harris County could be identified for the applicable contracting disciplines. The 2020 CBP Data was released by the U.S. Census Bureau on April 28, 2022 and it is the latest data available. Harris County was used as the local market area, since the majority of contractors and subcontractors that bid on Harris County CSD proposals are located in this area. However, Harris County CSD does not limit its solicitation or acceptance of bid proposals to the immediate market area.

Utilizing both the TUCP and the City of Houston DBE database as an additional bidders list, a total of forty-six (46) certified DBE firms were identified with a corresponding North American Industry Standard Classification (NAICS) code which matched the contracting disciplines or listed one of the services listed in the potential contracts table below.

"Ready, willing and able DBEs" are DBEs in the Texas Unified Certification Program DBE data base and the 2020 Harris County Business Patterns database with North American Industry Classification System (NAICS) codes in work categories where Harris County CSD would normally contract. These are firms that have voluntarily submitted to the DBE certification program, thereby demonstrating a readiness, willingness, and the ability to participate as DBEs in Harris County CSD contracts.

We organized the DBE's into Concrete Paving, Office Supplies, Printing, Traffic Signal Installation, and Bus Shelter Construction.

#### Subcontracting Opportunities

The projects identified in the goal methodology report for the coming three year period are general and broad in scope. When specifications for projects are developed and finalized, subcontracting opportunities may become available and readily identifiable at that time. Therefore, no sub-contracting opportunities were identified during the conception of our initial projects. Once subcontracting opportunities are identified, Harris County Transit staff will break down and evaluate possible subcontracting opportunities and follow in-house procedures regarding the monitoring and collection of monthly progress reports.

The first step in the calculation of the base figure was to identify all the potential FTA-assisted contracts with DBE contracting opportunities and their estimated funding amounts for FY2024-2026 (see Table 1 below).

#### Subrecipients

At this time, Harris County Transit does not sub-contract or proposes to sub-contract services with subrecipients in the next 3-year cycle.

Table 1
Potential Contracts with DBE Contracting Opportunities and Estimated Funding Amounts (add Thien data \$)

NAICS Code	Potential FTA-Assisted Contracts	Estimated DOT Funds	% of DOT Funds (Weight)
237310	Concrete Paving	\$2,400.00.00	0.4343
424120	Office Supplies	\$75,000.00	0.0136
323111	Printing	\$75,000.00	0.0136
238210	Traffic Signal Installation	\$2,400,000.00	0.4343
236220	Bus Shelter Construction	\$567,000.00	0.1042
	Total FTA-Assisted Funds	\$5,526,000.00	1

In past reporting, fixed route bus service, ADA paratransit, On-demand ride share service were previously included in the calculation of the DBE Goal. However, there will be no award for these services during FY24-26. Therefore, their award commitments are not being reported as part of the FY24-26 DBE Goal update. The inclusion of these awards would have inflated the results of the DBE projection.

The next step in the calculation process was to determine the total number of all available firms with corresponding NAICS codes which matched the contracting disciplines listed above. Data obtained from the US Census Bureau 2020 County Business Pattern (CBP) database and the City of Houston MWSBE/PDBE and DBE Directory was used for this purpose since all business types are listed by NAICS codes. The following Table 2 depicts the contracting disciplines, their NAICS Code, the total number of Ready, Willing, and Able DBE firms, the total number of all firms available, and the relative availability of each discipline.

Table 2
Number of DBE Firms and All Firms Available by NAICS Code (see next page)

NAICS Code	Potential Contracts	Number of DBEs Available	Number of All Firms Available	Relative Availability
237310	Concrete Paving	31	106	0.2925
424120	Office Supplies	6	40	0.1500
323111	Printing	4	233	0.0172
238210	Traffic Signal Installation	4	763	0.0052
236220	Bus Shelter Construction	1	617	0.0016
	Combined Totals	46	1759	0.0262

#### Weighting

The final step in the calculation of the Base Figure was to determine the weights by work type. Weighting is a proportion of dollars spent in each industry. The resulting percentage is more heavily influenced in industries where more dollars are spent. Weighting provides a narrowly tailored model of availability and a more accurate calculation of the Base Figure. The calculation of weights by work type resulted in a Weighted Base Figure of thirteen percent (13%) rounded. The following Table 3 supports the calculation of the Weighted Base Figure:

Table 3
Calculation of the Weighted Base Figure

NAICS Code	Potential Contracts	Weight	x	Availability	Weighted Base Figure
237310	Concrete Paving	0.43431	х	0.29245	0.1270
424120	Office Supplies	0.01357	х	0.1500	0.0020
323111	Printing	0.01357	х	0.01717	0.002
238210	Traffic Signal Installation	0.43431	х	0.00524	0.0023
236200	Bus Shelter Construction	0.10423	х	0.00162	0.0002
				Total	0.1317
				Expressed as % (*100)	13.17%
				Rounded, Weighted Base Figure	13%

#### STEP 2 – Adjustment to Base Figure

Harris County CSD considered Step 2 of the goal setting process to determine if an adjustment to the Weighted Base Figure is necessary. In accordance with 49 CFR part 26.45(d), Harris County CSD considered the following factors in order to produce a more concise Weighted Base Figure: 1) past participation, 2) disparity studies, and 3) public consultations.

#### **Past Participation**

An analysis of past DBE participation on DOT assisted contracts for the last five years, during which our stated goal was six percent (11%) and based upon the information obtained during the previous goal setting process resulted in Harris County CSD adopting a DBE goal of six percent (11%) for the FY2021-2023 program years.

A review of the past three years and five years awards and commitments were considered. Given the anomaly of DBE awards and commitment in FY 2021 combined with the uncertainty of the local, state, and national economy due to the COVID-19 pandemic in FY 2020, Harris County CSD did not factor its past DBE participation on DOT assisted contracts for the last five years.

The potential contracts that Harris County CSD has planned for the next triennial period of FY2024-2026 are similar compared to the contracts of the previous triennial period of FY2021-2023. Due to the similarity in contracts planned and the difference in funding levels for contracts being continued or finished during the current triennial period, Harris County CSD proposes to obtain the weighted base figure of thirteen percent (13%) in Step 1 and no adjustment to the base figure.

#### **Excluded FTA Grant Funds**

FTA Section 5310 grant funds were not calculated as part of the coming three-year period contracting opportunities. Historically, Harris County Transit did not have DBE firms submit bids or proposals during the bidding process for the last three-year cycle. In addition, a DBE directory search during the last three-year cycle did not yield results of DBE firms ready, willing, and able to provide the requested services in the FTA Section 5310 program. Therefore, we have excluded FTA Section 5310 grant funds from the DBE goal methodology due to the lack prime and subcontracting opportunities with DBE firms.

#### **Disparity Studies**

Harris County CSD researched its market area for any disparity studies that may have been conducted in the last five years and found the following disparity studies:1) 2020 Harris County Disparity Study, 2) The Port of Houston 2020 Disparity Study, and 3) Harris Health Disparity Study 2022. After consideration, the disparity studies were not used to adjust the Step 1 availability figure. The studies did not include corresponding NAICS codes for the contracting disciplines proposed by Harris County CSD which made the study unusable for calculation of the DBE goal. Furthermore, the disparity studies focused primarily on MWBE utilization, and the resulting data would overstate the statistical availability of DBEs.

Harris County CSD made no adjustments to the Weighted Base Figure of eighteen percent (18%) based on disparity studies.

#### **Public Consultations**

Additional evidence considered in the Step 2 process included consultation from interested parties (i.e. local Chamber of Commerce, Minority Business Council, and consultative process with interested parties, etc.), the DBE goal of other FTA funded entities, and availability of match funds used to support FTA expenditures. The following Table 5 is a summary of the public consultations conducted prior to publication of the draft DBE Goal for FY2024-2026:

# Table 5 Public Consultations

Organization		
Greater Houston Business Procurement Forum		
North Channel Area Chamber of Commerce		
Gurrola Reprographics		
Fort Bend Transit		

#### Description of Consultation Results

The Greater Houston Business Procurement Forum (GHBPF) held an event titled, "Doing Business with Harris County" in which Mrs. Elisa Castillo Martinez, Regulatory Compliance Analyst for Harris County Office of Transit Services held a presentation and provided consultation with minority, women's and general contractor groups. The consultation did not result in a change from our proposed DBE goal. However, it did result in general support of our DBE program efforts. A copy of the presentation is now attached to the DBE goal methodology report.

Additionally, public consultations were held with Fort Bend Transit, Gurrola Reprographics and the North Channel Area Chamber of Commerce as additional resources for development of the proposed DBE Goal. The consultations did not result in a need to adjust the proposed DBE Goal. However, additional opportunities to partner on outreach activities were discussed to expand our DBE program opportunities.

The public consultations conducted above did not produce information that would require an adjustment to the Weighted Base Figure.

Harris County CSD is not aware of any other statistical data, reports, or studies in its market area to determine if an adjustment to the Weighted Base Figure is necessary.

#### Estimated Race Neutral (RN) and Race Conscious (RC) Participation

Harris County CSD will meet the maximum feasible portion of its overall goal by using RN means of facilitating DBE participation by:

- 1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitates DBE and other small business participation;
- 2. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
- 3. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
- 4. Providing technical assistance and other services.

For reporting purposes, RN DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation in a prime contract which exceeds a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

Harris County CSD will establish contract goals when it cannot meet its maximum feasible portion of the overall goal using RN means by:

- 1. Establishing contract goals only on those DOT-assisted contracts that have subcontracting opportunities;
- Setting goals for a specific contract that may be higher or lower than that percentage level of the overall goal, depending on such factors as the type of work involved, the location of the work, and the availability of DBEs for the work of the particular contract;
- 3. Tailoring contract goals so that they will cumulatively result in meeting any portion of the overall goal that Harris County CSD does not project being able to meet through the use of RN means; and
- 4. Ensuring that contract goals provide for participation by all certified DBEs and are not be subdivided into group-specific goals.

In determining the split between RN and RC means of DBE participation, Harris County CSD considered the following:

- The amount by which goals were exceed in the past;
- Past participation by DBE prime contractors;
- Past participation by DBE subcontractors on contracts without goals; and
- Past history on inability to achieve goals.

The Table 6 below is summary of Harris County CSD's attainment of its overall goal by RC and RN means of DBE participation:

Table 6
FY2018-2020 Total to DBE's By Race Conscious (RC) and Race Neutral (RN) Means Based on Awards and Commitments

Federal Fiscal Year	Total Dollars to DBE's/Race Conscious	Total Dollars to DBE's/Race Neutral	Total to DBE's
2020	\$58,938	\$7,400	\$66,338
2021	\$0	\$124,589	\$124,589
2022	\$0	\$0	\$ 0
2023*	\$314,600*	\$0	\$314,600
Totals	\$373,538	\$131,989	\$505,527

Note: FY2024 reflects DBE Awards and Commitments for the period 10/1/2022 thru 3/31/2023.

The total dollars to DBE's by RC and RN means during FY2024-2026 were included for the purposes of calculating the overall total to DBE's based on awards and commitments. Based on the data described in Table 6, the following calculation was used to determine the split between the RC and RN means of DBE participation:

#### 1. Relative of RN Attainment

#### 2. Absolute RN Attainment

3. RC Split

Moving forward, Harris County CSD estimates that approximately ten percent (10%) of its overall goal will come from "race conscious" efforts and three percent (3%) from "race neutral" means. As stated above, the previous triennial period did not include contracts for bus shelter construction. If it appears that participation through "race neutral" means is exceeding or not meeting this level, Harris County CSD will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 49 CFR Part26.51(f)) and track and report race-neutral and race-conscious participation separately.

#### Recommended Final Goal for Fiscal Years 2024 - 2026

Harris County CSD recommends an overall DBE goal of thirteen percent (13%) for FY 2024 – FY 2026 of the Federal financial assistance expected in DOT assisted contracts; Harris County CSD estimates that in meeting the overall goal of 13%, it will obtain ten percent (10%) from race conscious measures and three percent (3%) from race-neutral participation.

#### **Public Website Advertisement**

Harris County CSD Office of Transit Services published a notice announcing the proposed overall goal, informing the public that the proposed goal and its rationale will be available for inspection online at Harris County CSD Office of Transit Services' website at <a href="https://transit.harriscountytx.gov">https://transit.harriscountytx.gov</a>. The notice included a mailing address to which requests for additional information may be sent.

Below is the official Public Notice issued by Harris County CSD Office of Transit Services for the FY2024-2026 DBE goal update:

### PUBLIC NOTICE

June 30, 2023

Notice of Proposed Goal for the Participation of Disadvantaged Business Enterprises in the Department of Transportation Assisted Contracts

Harris County Community Services Department Office of Transit Services

As required by Section 49 Code of Federal Regulations Part 26, the Harris County Community Services Department (HCCSD), Office of Transit Services, has determined as proposed overall goal FY 2024 - 2026 of thirteen percent (13%) for the participation of Disadvantaged Business Enterprises (DBE's) in its contracts for financial assistance provided by the U.S. Department of Transportation (DOT).

The proposed goals and their rationale are available for review online at https://transit.harriscountytx.gov.

Additional information can be directed to the HCCSD Disadvantaged Business Liaison Officer (DBELO) below:

#### Attention:

Mr. Gene Simeon (DBELO)
Harris County Community Services Department
Office of Transit Services
8410 Lantern Point Drive
Houston, Texas 77054
Phone: (832) 927-4833

Phone: (832) 927-4833 Email: transit@hctx.net

## **AVISO PÚBLICO**

30 de junio del 2023

Aviso de Propuesta para la Meta de Subvención a Empresas Comerciales en Desventaja que Participan y son Asistidas por medio de Contratos por el Departamento de Transporte

Departamento de Servicios Comunitarios del Condado de Harris Oficina de Servicios de Transito

Como lo exige el Artículo 49, Parte 26 del Código de Reglamentos Federales, el Departamento de Servicios Comunitarios del Condado de Harris (HCCSD), Oficina de Servicios de Transito, ha determinado una propuesta en general para la meta de subvención correspondiente al año FY2024 - 2026 de trece por ciento (13%) para Empresas Comerciales en Desventaja (DBE's) a través de contratos para asistencia financiera proporcionada por el Departamento de Transporte de los Estados Unidos (DOT).

La propuesta de metas y fundamentos están disponibles para su revision en línea https://transit.harriscountytx.gov.

Comentarios por escrito pueden enviarse a la siguiente persona debajo en cargo del programa de las Empresas Comerciales en Desventaja (DBE's):

#### Atención:

Sr. Gene Simeon (DBELO)
Departamento de Servicios Comunitarios del Condado de Harris
Oficina de Servicios de Transito
8410 Lantern Point Drive
Houston, Texas 77054
Teléfono: (832) 927-4833

Correo Electrónico: transit@hctx.net

#### ATTACHMENT A

#### **CALCULATION OF DBE GOAL**

	Step 1 - Determine the weight of each type of work by NAICS Code:					
NAICS Code	Project	% of total DOT funds (weight)				
237310	Concrete Paving	\$2,400,000.00	0.4343			
424120	Office Supplies	\$75,000.00	0.0136			
323111	Printing	\$75,000.00	0.0136			
238210	Traffic Signal Installation	\$2,400,000.00	0.4343			
236220	Bus Shelter Construction	\$576,000.00	0.1042			
	Tota	1				

Step 2 - Determine the relative availability of DBE's by NAICS Code:					
NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability	
237310	Concrete Paving	31	106	0.2925	
424120	Office Supplies	6	40	0.1500	
323111	Printing	4	233	0.0172	
238210	Traffic Signal Installation	4	763	0.0052	
236220	Bus Shelter Construction	1	617	0.0016	
	Combined Totals	46	1759	0.0262	
Overall availability of DBEs					

Step 3 - (Weight) x (Availability) = Weighted Base Figure						
NAICS						
Code	Project	Weight	X	Availability	Weighted Base Figure	
237310	Concrete Paving	0.43431	X	0.29245	0.1270	
424120	Office Supplies	0.01357	X	0.15000	0.0020	
323111	Printing	0.01357	X	0.01717	0.0002	
238210	Traffic Signal Installation	0.43431	X	0.00524	0.0023	
236220	Bus Shelter Construction	0.10423	X	0.00162	0.0002	
	<b>Total</b> 0.1317					
Expressed as a % (*100)					13.7%	
	Rounded Weighted Base Figure: 13%					

#### **ATTACHMENT B**

#### **PUBLIC CONSULTATIONS**

The following entities/organizations were consulted in the development of the proposed FY2024-2026 DBE goal:

Greater Houston Business Procurement Forum 1701 ½ Post Oak Boulevard #273 Houston, Texas 77056

North Channel Area Chamber of Commerce 13301 I-10 East Freeway #100 Houston, Texas 77015

Fort Bend Transit 3737 Bamore Road Rosenberg, Texas 77471

Gurrola Reprographics 6161 Washington Avenue Houston, Texas 77007

A copy of the public and interactive session held with the Greater Houston Business Procurement Forum is attached to this goal methodology.

#### **Greater Houston Business Procurement Forum**

#### **Presentation**





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#### **Greater Houston Business Procurement Forum**

#### Presentation













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#### **Greater Houston Business Procurement Forum**

#### **Presentation**



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SUPPLIER DIVERSITY PARTNERS

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#### MORE INFORMATION

Harris County Purchasing Department https://purchasing/amscountys.goud's gos/defaul.apps

TRANSIT





## CONTACT INFORMATION

Elina Castillo Martinez fregulatory Compliance Analy at 832-927-4366 Elina Castillo@cds.hcts.net

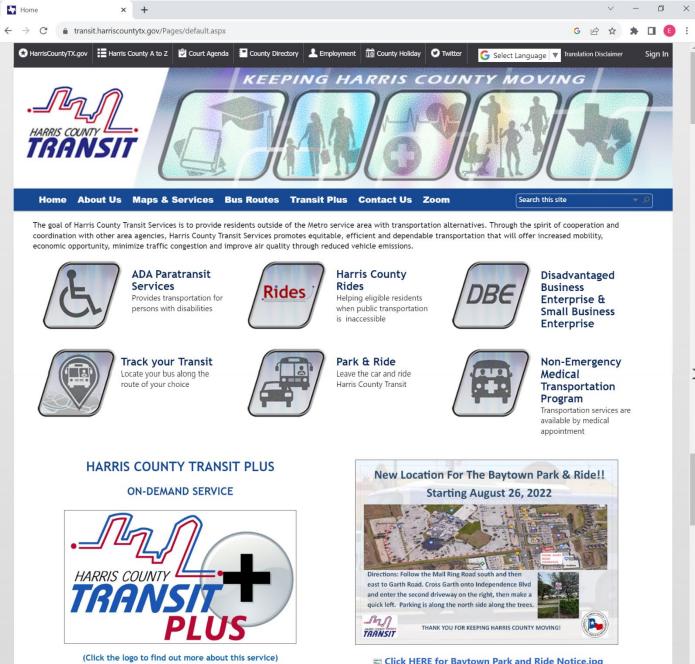


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#### **ATTACHMENT C**

#### WEBSITE POSTING OF DBE GOAL



Click HERE for Baytown Park and Ride Notice.jpg

#### **Public Transportation Agency Safety Plan**

Developed in conjunction with the Texas Department of Transportation

Safety is a core business function of all public transportation providers and should be systematically applied to every aspect of service delivery. At Harris County Transit, all levels of management, administration and operations are responsible for the safety of their clientele and themselves. To improve public transportation safety to the highest practicable level in the State of Texas and comply with FTA requirements, the Texas Department of Transportation (TxDOT) has developed this Agency Safety Plan (ASP) in collaboration with Harris County and Harris County Transit, which is a division of the Harris County Community Services Department.



CLICK HERE for Public Information Act.pdf

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June 30, 2023

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The proposed goals and their rationale are available for review online at https://transit.harriscountytx.gov.

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Phage: (932) 97, 4833

Phone: (832) 927-4833 Email: transit@hctx.net

CLICK HERE for DBE Public Notice in Spanish 2023.pdf

☑ CLICK HERE for DBE Goal FY 2021-2023.pdf
 ☑ CLICK HERE for DBE Proposed Goal FY 2024-2026.pdf

CLICK HERE for Public Participation Plan.pdf



# MONITORING WEATHER PATTERNS TO KEEP HARRIS COUNTY MOVING WITH WEATHER-READY NATION!

**CLICK HERE for Hurricane Guide 2020!** 

#### **TITLE VI Notice**

Harris County operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Harris County.

For more information on Harris County's civil rights program and the procedures to file a complaint, contact 832-927-4700, TTY Dial 7-1-1 (1-800-735-2988); email; or visit our administrative office at 8410 Lantern Point Drive, Houston, Texas 77054.

If information is needed in another language, contact 832-927-4700

CLICK HERE for Title VI Public Notice SPANISH.pdf.

#### **ADA General Complaint Procedures**

Harris County Transit will process and investigate complaints from individuals alleging discrimination in its programs, services or activities, under the American with Disabilities Act of 1990 (ADA). If you believe that you or another person has been discriminated against which is covered by ADA, you may file a complaint with Harris County Transit. You may submit your complaint by mail, fax, or email. All new complaints are subject to be processed and reviewed by Harris County Transit's ADA Coordinator.

Harris County Community Service Department Office of Transit Services ATT: ADA Coordinator - David Jones 8410 Lantern Point Drive Houston, TX 77054

Phone: 832-927-4953 Phone: 713-578-2000



For suggestions or comments regarding this site please email us at webcomments@hctx.net.

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